IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP NO.16758 of 2006
DATE OF DECISION: October 24, 2006

Tirath Singh

….Petitioner

VERSUS

State of Punjab and others

…..Respondents

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S. BHALLA

PRESENT: Shri R.K.Gupta, Advocate for the petitioner.

Viney Mittal,J.(Oral).

Notice of motion to the respondents No.1 to 3 only.

On the asking of Court, Shri Sukhdip Singh Brar, Additional Advocate General, Punjab accepts notice on behalf of the said respondents.

Copies of the writ petition have been supplied to the learned counsel for the respondents.

The petitioner has approached this Court for issuance of directions to respondent No.2, Deputy Commissioner, Fatehgarh Sahib to decide the matter with regard to grant of sanction for prosecution of respondent No.4 Mohan Singh, Halka Patwari in case FIR No.9 dated February 1, 2006 registered under Section 7 read with Section 13(2) of Prevention of Corruption Act, 1988 registered at Police Station Vigilance Bureau, Patiala, District Patiala, Punjab. The petitioner claims that he is complainant in the aforesaid FIR and, as such, has interest in prosecution of respondent No.4.

After hearing the learned counsel for the petitioner and taking into consideration the averments made by him in the present petition, we find that it has been alleged by the petitioner that the matter of grant of sanction to prosecute Mohan Singh, Halka Patwari in the aforesaid FIR is still pending consideration before the Deputy Commissioner and no final decision has been taken so far.

In this view of the matter, without going into the merits of the claim made by the petitioner and without expressing any opinion as to whether the aforesaid sanction is required to be granted or not, we dispose of the present petition with a direction to the Deputy Commissioner, Fatehgarh Sahib, respondent No.2 to take a final decision in the matter of grant of sanction to prosecute Mohan Singh, Halka Patwari, respondent No.4 in FIR No.9 dated February 1, 2006 registered under Section 7 read with Section 13(2) of Prevention of Corruption Act, 1988 registered at Police Station Vigilance Bureau, Patiala, as expeditiously as possible and in any case within a period of four months from the date a certified copy of this order is received.

A copy of the order be given dasti on payment of usual charges.

(Viney Mittal)
Judge

October 24, 2006
KD

(H.S. Bhalla)
Judge